



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant(s): EKLUND ET AL.
Case: CON/BRE0004
Serial No.: 09/965,681 Filed: 9/27/01
Group Art Unit: 2818
Examiner: not assigned
Title: Auto CPAP
Commissioner for Patents
Washington, D. C. 20231

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CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this
correspondence is being deposited
on 1/27/03 with the
United States Postal Service as
first class mail, with sufficient
postage, in an envelope addressed
to the Assistant Commissioner of
Patents, Washington, D.C. 20231.

James E. Coats
Signature
1/27/03
Date of signature

S I R:

REQUEST AND AMENDMENT TO CORRECT INVENTORSHIP
UNDER RULE 1.48(a)

The correct inventors were not named in the above-mentioned application as originally filed. A request is hereby made to correct the inventorship of this application. Applicants respectfully request amendment of the application to add the following inventors:

Jan Anders Hedner
Hans Petter Knagenhjelm

The above-mentioned inventors were inadvertently omitted from this application through error without any deceptive intention on the part of the actual inventors as attested to in the accompanying statements of each of the above-named inventors. Written consent to the amendment of inventorship by **Breas Medical**

AB, assignee of this application, is attached. In accordance with 37 C.F.R. 1.48(a)(3), Applicants' attorneys' check in the amount of \$130 to cover the 37 C.F.R. 1.17(i) processing fee is also attached. The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of fee to Applicants' attorneys' Deposit Account No. 20-0782. A duplicate copy of this Petition and Amendment is submitted to facilitate any charge. Also submitted, in accordance with 37 C.F.R. 1.48(a)(2) is a Declaration by the actual inventors as required by 37 C.F.R. 1.63.

If the Office believes that there are any unresolved issues requiring additional information from any inventor or assignee of this application, it is requested that the Office call Eamon J. Wall, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

11/27/03
Date

By:

E J Wall
EAMON J. WALL, Attorney
Reg. No. 39,414
(732) 530-9404

MOSER, PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702

AB, assignee of this application, is attached. In accordance with 37 C.F.R. 1.48(a)(3), Applicants' attorneys' check in the amount of \$130 to cover the 37 C.F.R. 1.17(i) processing fee is also attached. The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of fee to Applicants' attorneys' Deposit Account No. 20-0782. A duplicate copy of this Petition and Amendment is submitted to facilitate any charge. Also submitted, in accordance with 37 C.F.R. 1.48(a)(2) is a Declaration by the actual inventors as required by 37 C.F.R. 1.63.

If the Office believes that there are any unresolved issues requiring additional information from any inventor or assignee of this application, it is requested that the Office call Eamon J. Wall, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

11/27/03
Date

By: E J Wall
EAMON J. WALL, Attorney
Reg. No. 39,414
(732) 530-9404

MOSER, PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702



INVENTORS' STATEMENT UNDER RULE 1.48(a)(1)

We, the undersigned, were inadvertently omitted from U.S. Patent application Serial No. 09/965,681, filed September 27, 2001, entitled "AUTO CPAP," through error and without any deceptive intention.

Jan Anders Hedner
Inventor Name


Signature

Sept. 12, 2002
Date

Hans Petter Knagenhjelm
Inventor Name

Signature

Date

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INVENTORS' STATEMENT UNDER RULE 1.48(a)(1)

We, the undersigned, were inadvertently omitted from U.S. Patent application Serial No. 09/965,681, filed September 27, 2001, entitled ~~✕~~ AUTO CPAP, ~~✕~~ through error and without any deceptive intention.

Jan Anders Hedner
Inventor Name

Hans Petter Knagenhjelm
Inventor Name

Signature

Signature

Date

Date

H. Petter Knagenhjelm

Oct 8, 2002

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ASSIGNEE CONSENT TO CHANGE OF INVENTORSHIP UNDER RULE 1.48(a)

The undersigned assignee of U.S. Patent Application Serial No. 09/965,681, filed September 27, 2001, entitled ~~✕~~ AUTO CPAP, ~~✕~~ hereby grants its consent to the following change of inventorship in the application:

(X) Add the following inventors:

Jan Anders Hedner
Hans Petter Knagenhjelm

BREAS MEDICAL AB
Assignee Name


Hans Werner, President

2/17/02
Date

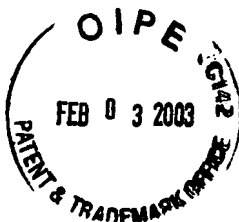
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COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original
☐ divisional
☐ continuation
☐ continuation-in-part



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INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Auto CPAP

SPECIFICATION IDENTIFICATION

The specification of which:

- ☐ is attached hereto;
☒ was filed on September 27, 2001, under Serial No. 09/965,681, executed on even date herewith; or
☐ Express Mail No. _____ (Serial No. not yet known)
 and was amended on _____ (if applicable)
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

- ☐ In compliance with this duty there is attached an Information Disclosure Statement in accordance with 37 CFR §1.98.

PRIORITY CLAIM (35 U.S.C. §119)

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any provisional or foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any provisional or foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed;

CON/BRE0004

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declares that:

This declaration is of the following type:

- ☒ original
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part



RECEIVED
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INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Auto CPAP

SPECIFICATION IDENTIFICATION

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- ☐ is attached hereto;
- ☒ was filed on September 27, 2001, under Serial No. 09/965,681, executed on even date herewith; or
- ☐ Express Mail No. _____ (Serial No. not yet known)
and was amended on _____ (if applicable)
- ☐ was described and claimed in PCT International Application No. _____ filed on _____
and as amended under PCT Article 19 on _____

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- ☐ In compliance with this duty there is attached an Information Disclosure Statement in accordance with 37 CFR §1.98.

PRIORITY CLAIM (35 U.S.C. §119)

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any provisional or foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any provisional or foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

CON/BRE0004

☐ No such applications have been filed.

☒ Such applications have been filed as follows:

- A. Prior foreign/PCT application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 U.S.C. § 119

| <u>Country/PCT</u> | <u>Application No</u> | <u>Date Filed</u> | <u>Priority Claimed</u> |
|--------------------|-----------------------|-------------------|---|
| Sweden | SE 0003531-1 | October 2, 2000 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No |

- B. All foreign application(s), if any, filed more than 12 mos. (6 mos for design) prior to this U.S. application

Country:
Application No:
Filing date:

- C. U.S. Provisional Application filed within 12 months prior to this application

| <u>Serial No.</u> | <u>Filing Date</u> |
|-------------------|--------------------|
| | |

PRIORITY CLAIM (35 U.S.C. §120)

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that is material to the examination of this application (namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

☒ No such applications have been filed
☐ Such application have been filed, as follows:

| <u>Serial No.</u> | <u>Filing Date</u> | <u>Status</u> |
|-------------------|--------------------|--|
| | | <u>Patented Pending</u> <u>Abandoned</u> |

POWER OF ATTORNEY

I hereby appoint the following attorneys and/or agents of Moser, Patterson & Sheridan, LLP, CUSTOMER #26,291 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

CUSTOMER #26,291

Send correspondence to:

MOSER, PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue
Suite 100
Shrewsbury, New Jersey 07702

Direct telephone calls to:

EAMON J. WALL
(732) 530-9404

CON/BKE0004

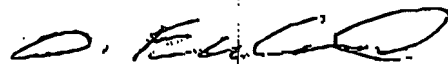
DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of sole or first inventor:

OVE EKLUND

Inventor's signature:



Date: 29/10/02

Residence:

36 Bridgefield Farmham
EY GU 98AW Surrey
Great Britain

Post Office Address:

same as above

Country of Citizenship: Sweden

Full name of second inventor:

HENRIK BERGFALK

Inventor's signature:



Date: 29/10/02

Residence:

Karl Gustavsgatan 23
SE-411 25 Göteborg
Sweden

Post Office Address:

same as above

Country of Citizenship: Sweden

Full name of third inventor:

JAN ANDERS HEDNER

Inventor's signature:

Orangerigatan 4
SE-412 66 Göteborg
Sweden

Date: _____

Residence:

Post Office Address:

same as above

Country of Citizenship: Sweden

Full name of fourth inventor:

HANS PETTER KNAGENHJELM

Inventor's signature:

Kullavagen 18B
SE-435 43 Pixbo
Sweden

Date: _____

Residence:

Post Office Address:

same as above

Country of Citizenship: Norway

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.


Full name of sole or first inventor: OVE EKLUND

Inventor's signature: _____ Date: _____
Residence: 36 Bridgefield Farnham
EY GU 98AW Surrey
Great Britain
Post Office Address: same as above Country of Citizenship: Sweden

Full name of second inventor: HENRIK BERGFALK

Inventor's signature: _____ Date: _____
Residence: Karl Gustavsgatan 23
SE-411 25 Göteborg
Sweden
Post Office Address: same as above Country of Citizenship: Sweden

Full name of third inventor: JAN ANDERS HEDNER

Inventor's signature:  _____ Date: Sept 12, 2002
Residence: Orangerigatan 7
SE-412 66 Göteborg
Sweden
Post Office Address: same as above Country of Citizenship: Sweden

Full name of fourth inventor: HANS PETTER KNAGENHJELM

Inventor's signature: _____ Date: _____
Residence: Kullavagen 18B
SE-435 43 Pixbo
Sweden
Post Office Address: same as above Country of Citizenship: Norway

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of sole or first inventor: OVE EKLUND

Inventor's signature: _____ Date: _____
Residence: 36 Bridgefield Farnham
EY GU 98AW Surrey
Great Britain
Post Office Address: same as above Country of Citizenship: Sweden

Full name of second inventor: HENRIK BERGFALK

Inventor's signature: _____ Date: _____
Residence: Karl Gustavsgatan 23
SE-411 25 Göteborg
Sweden
Post Office Address: same as above Country of Citizenship: Sweden

Full name of third inventor: JAN ANDERS HEDNER

Inventor's signature: _____ Date: _____
Residence: Orangerigatan 4
SE-412 66 Göteborg
Sweden
Post Office Address: same as above Country of Citizenship: Sweden

Full name of fourth inventor: HANS PETTER KNAGENHJELM

Inventor's signature: H. Peter Knagenhjelm Date: Oct 8, 2002
Residence: Kullavagen 18B
SE-435 43 Pixbo
Sweden
Post Office Address: same as above Country of Citizenship: Norway